

REMARKS

The non-final Office Action mailed February 2, 2004 (Paper No. 4) has been carefully considered.

In response thereto, Applicants have amended the Abstract to remove phrases that may be implied and have amended independent claims 1, 14, and 23 to further clarify the subject matter that Applicants regard as the invention. Claims 31 – 38 have been added. The subject matter of claims 31 – 38 can be found in Applicants' technical field, background, and detailed description of the original specification. Upon entry of the foregoing amendments claims 1 – 38 remain pending in the application.

Each objection/rejection presented in the non-final Office Action mailed February 2, 2004 is discussed in detail in the remarks that follow.

I. Objection to the Specification

A. Statement of the Objection

The Office Action indicates that the Abstract is objected to because the Abstract contains the phrase “[t]he invention comprises.”

B. Discussion of the Rejection

Applicants have amended the Abstract such that the phrase “[t]he invention comprises” has been redacted. Accordingly, the objection to the Abstract should be withdrawn.

II. Claim Rejections under 35 U.S.C. §102 - Claims 1 – 3, 5 – 8, 10 , 11, 14 – 16, 18 – 20, 22 – 24, 26 – 28, and 30

A. Statement of the Rejection

Claims 1 – 3, 5 – 8, 10 , 11, 14 – 16, 18 – 20, 22 – 24, 26 – 28, and 30 stand rejected under 35 U.S.C. §102(e) as allegedly being anticipated by Weinberg (U.S. Patent No. 6,587,969) (hereinafter, *Weinberg*).

B. Discussion of the Rejection - Claims 1 – 3, 5 – 8, 10 , 11, 14 – 16, 18 – 20, 22 – 24, 26 – 28, and 30

Applicants' claims, as amended, are not anticipated for at least the reason that the cited reference fails to disclose, teach, or suggest each element in the claims.

It is axiomatic that “[a]nticipation requires the disclosure in a single prior art reference of each element of the claim under consideration.” *W.L. Gore & Associates, Inc. v. Garlock, Inc.*, 721 F.2d 1540, 1554, 220 U.S.P.Q. 303, 313 (Fed. Cir. 1983) Therefore, every claimed feature of the claimed invention must be represented in the applied reference (*i.e.*, *Weinberg*) to constitute a proper rejection under 35 U.S.C. §102(e).

1. Claims 1 – 3, 5 – 8, 10, and 11

For convenience of analysis, independent claim 1 is repeated below in its entirety.

1. An apparatus for providing a graphical user interface (GUI) comprising:

logic configured to execute GUI generation code and GUI user interaction handling code; and

a display device in communication with said logic, wherein when said logic executes the GUI generation code, a first window is displayed on the display device, *said first window presenting at least one option that enables a user to open a file comprising execution results resulting from execution of a machine control sequence configured to move data storage media to and from a media interface*, wherein when said file is opened, a second window is displayed on said display device, said second window displaying at least a summary of said execution results comprised in said file.

(Applicants' independent claim 1 - *emphasis added*.)

The cited art of record fails to disclose, teach, or suggest at least Applicants' claimed first window that presents "at least one option that enables a user to open a file comprising execution results resulting from the *execution of a machine control sequence configured to move data storage media to and from a media interface*."

Consequently, claim 1 is allowable.

Specifically, the system apparently disclosed in *Weinberg* uses an interface to display verification steps associated with the testing of transactional servers (e.g., a web-based transactional server, a SAP-based transactional server, and a mainframe-based transactional server). The examples apparently disclosed in *Weinberg* include operational verifications of a web site, the submission of a form, and a text check. Accordingly, *Weinberg* appears to disclose a test system that operates within the confines of a transactional server and a test system.

In contrast to *Weinberg*, Applicant's claim 1 recites an apparatus for providing a graphical user interface (GUI) comprising a display device that enables a user to open a file comprising execution results resulting from execution of a machine control sequence configured to move data storage media to and from a media interface. For at least the reason that *Weinberg* fails to disclose Applicants' claimed display device that enables a user to open a file comprising execution results resulting from execution of a machine control sequence configured to move data storage media to and from a media interface, *Weinberg* does not anticipate Applicants's claimed apparatus. Accordingly, claim 1 is allowable and the rejection of claim 1 should be withdrawn.

Because independent claim 1 is allowable, dependent claims 2, 3, 5 – 8, 10, and 11 are also allowable, as these claims include all the elements of independent claim 1. *See In re Fine*, 837 F.2d 1071 (Fed. Cir. 1988). Accordingly, Applicants respectfully request that the rejection of claims 1 – 3, 5 – 8, 10, and 11 be withdrawn.

2. Claims 14 – 16, 18 – 20, and 22

For convenience of analysis, independent claim 14 is repeated below in its entirety.

14. A method for enabling a user to analyze machine control sequence execution results, the method comprising:
displaying a graphical user interface (GUI), the displayed GUI having a first window, the first window presenting at least one option that enables a user to open *a file comprising machine control sequence execution results resulting from execution of a machine control sequence configured to move data storage media to and from a media interface*; and

upon detecting a selection of said at least one option by the user, displaying a second window, said second window displaying at least a summary of said execution results comprised in said file.

(Applicants' independent claim 14 - *emphasis added.*)

The cited art of record fails to disclose, teach, or suggest at least the emphasized element of pending claim 14 as shown above. Consequently, claim 14 is allowable.

Specifically, as described above regarding Applicants' independent claim 1, *Weinberg* appears to disclose a test system that operates within the confines of a transactional server and a test system. Not disclosed in *Weinberg* is Applicants' claimed interface that presents at least one option that enables a user to open "*a file comprising machine control sequence execution results resulting from execution of a machine control sequence configured to move data storage media to and from a media interface.*" For at least the reason that *Weinberg* fails to disclose Applicants' claimed interface, *Weinberg* does not anticipate Applicants' claimed method. Accordingly, claim 14 is allowable and the rejection of claim 14 should be withdrawn.

Because independent claim 14 is allowable, dependent claims 15, 16, 18 – 20, and 22 are also allowable, as these claims include all the elements of independent claim 14. *See In re Fine, supra.* Accordingly, Applicants respectfully request that the rejection of claims 14 – 16, 18 – 20, and 22 be withdrawn.

3. Claims 23, 24, 26 – 28, and 30

For convenience of analysis, independent claim 23 is repeated below in its entirety.

23. A computer program for generating a graphical user interface (GUI), the program being stored on a computer-readable medium, the program comprising:

a first code segment, the first code segment generating a graphical user interface (GUI) and causing the GUI to be displayed on a display device, the displayed GUI having a first window, *the first window presenting at least one option that enables a user to open a file comprising machine control sequence execution results resulting from execution of a machine control sequence configured to*

move data storage media to and from a media interface;
and

a second code segment, the second code segment configured to determine whether a selection of said at least one option has been made by the user, wherein upon determining that the user has selected said at least one option, displaying on said display device a second window, said second window displaying at least a summary of said execution results comprised in said file on said display device.

(Applicants' independent claim 23 - *emphasis added.*)

The cited art of record fails to disclose, teach, or suggest at least the emphasized element of pending claim 23 as shown above. Consequently, claim 23 is allowable.

Specifically, as described above regarding Applicants' independent claim 1, *Weinberg* appears to disclose a test system that operates within the confines of a transactional server and a test system. Not disclosed in *Weinberg* is Applicants' claimed first code segment that generates an interface that presents at least one option that enables a user to open "*a file comprising machine control sequence execution results resulting from execution of a machine control sequence configured to move data storage media to and from a media interface.*" For at least the reason that *Weinberg* fails to disclose Applicants' claimed first code segment, *Weinberg* does not anticipate Applicants's claimed computer program. Accordingly, claim 23 is allowable and the rejection of claim 23 should be withdrawn.

Because independent claim 23 is allowable, dependent claims 24, 26 – 28, and 30 are also allowable, as these claims include all the elements of independent claim 23. *See In re Fine, supra.* Accordingly, Applicants respectfully request that the rejection of claims 23, 24, 26 – 28, and 30 be withdrawn.

III. Claim Rejections under 35 U.S.C. §103 - Claims 4, 9, 12, 17, 21, 25, and 29

A. Statement of the Rejection

Claims 4, 9, 12, 17, 21, 25, and 29 stand rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over *Weinberg* in view of *Jibbe* (U.S. Patent No. 6,311,320) (hereinafter, *Jibbe*).

B. Discussion of the Rejection - Claims 4, 9, 12, 17, 21, 25, and 29

Applicants' claims, as amended, are not rendered obvious over the proposed combination of *Weinberg* in view of *Jibbe* for at least the reason that the cited references do not disclose, teach, or suggest each element in the claims.

In order for a claim to be properly rejected under 35 U.S.C. §103, “[t]he PTO has the burden under section 103 to establish a *prima facie* case of obviousness. To establish a *prima facie* case of obviousness, the prior art reference (or references when combined) must teach or suggest all the claim limitations.

In this regard, the cited references (*i.e.*, *Weinberg* and *Jibbe*) do not show the combination of elements recited in each of Applicants' independent claims as amended. Thus, the cited references fail to meet the burden of disclosing, teaching, or suggesting each feature of Applicants' claimed invention. Consequently, for at least this reason, the rejection fails to establish a *prima facie* case of obviousness when applied to Applicants' claims 4, 9, 12, 17, 21, 25, and 29. Accordingly, the claim rejections under 35 U.S.C. §103 should be withdrawn.

Concerning claims 4, 9, and 12, these claims depend from claim 1, which includes a display device with a “*first window presenting at least one option that enables a user to open a file comprising execution results resulting from execution of a machine control sequence configured to move data storage media to and from a media interface.*” Neither *Weinberg* nor *Jibbe* disclose Applicants' first window.

Regarding claims 17 and 21, these claims depend from claim 14, which includes displaying via an interface that “*enables a user to open a file comprising machine control sequence execution results resulting from execution of a machine control sequence configured to move data storage media to and from a media interface.*” Neither *Weinberg* nor *Jibbe* disclose Applicants' interface.

Concerning claims 25 and 29, these claims depend from claim 23, which includes a first code segment that generates an interface that presents at least one option that enables a user to open “*a file comprising machine control sequence execution results resulting from execution of a machine control sequence configured to move data storage media to and from a media interface.*” Neither *Weinberg* nor *Jibbe* disclose Applicants' first code segment.

IV. New Claims – 31 - 38

Newly added claims 31 – 38 include features not found in the *Weinberg* and *Jibbe* references. Accordingly, claims 31 – 38 are allowable.

V. Prior Art Made of Record

The prior art made of record has been considered, but is not believed to affect the patentability of the presently pending claims.

CONCLUSION

In summary, Applicants respectfully request that all outstanding claim rejections be withdrawn. Applicants respectfully submit that presently pending claims 1 - 38 are allowable over the cited art and the present application is in condition for allowance. Accordingly, a Notice of Allowance is respectfully solicited. Should the Examiner have any comment regarding the Applicants' response or believe that a teleconference would expedite prosecution of the pending claims, Applicants request that the Examiner telephone Applicants' undersigned attorney.

Respectfully submitted,

**THOMAS, KAYDEN, HORSTEMEYER
& RISLEY, L.L.P.**

By:



Robert A. Blaha
Registration No. 43,502
(770) 933-9500